

REMARKS

Claims 1, 6, 8, 10, 12 and 20-33 remain pending in the present application. Claims 1, 20 and 21 have been amended. Claims 22-33 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

CLAIM OBJECTIONS

Claim 21 is objected to because of informalities. Claim 21 has been amended to overcome the objection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller (U.S. Pat. No. 6,667,555) in view of Antonovsky (U.S. Pat. No. 6,612,410). Applicant respectfully traverses this rejection.

Miller, et al. discloses a pressure tube forming a working chamber, a piston dividing the working chamber into an upper working chamber and a lower working chamber, a valve for controlling the flow of damping fluid through the piston and Miller, et al. discusses a pneumatic signal from an external source. Miller, et al. does not disclose an electronic valve, a pressurized gas as the damping medium, a source of the pressurized gas separate from the working chamber and a pressure control unit. The Examiner then cites Antonovsky to find all the missing elements except the electronic valve.

Antonovsky discloses a compressed gas accumulator which receives the gas from the shock absorber during a compression stroke and returns the gas to the shock absorber during an extension stroke. Claim 1 has been amended to define a sensor monitoring an operating condition associated with the damper and that the control of the pressure of the pressurized gas by the pressure control unit that is in communication with the sensor is based upon the operating condition monitored by the sensor. Neither Miller, et al. or Antonovsky disclose, teach or suggest a sensor in communication with the pressure control unit that monitors an operating condition of the damper.

Thus, Applicant believes Claim 1, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 12, 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller in view of Grundei, et al. (U.S. Pat. No. 5,971,117) and in view of Antonovsky. Applicant respectfully traverses this rejection. The above discussion regarding Miller, et al. and Antonovsky applies here also. Grundei, et al. does not disclose an externally controlled valve or a sensor in communication with a pressure control unit.

Thus, Applicant believes Claims 12, 20 and 21 patentably distinguish over the art of record.

NEW CLAIMS

New Claims 22-33 are dependent claims which depend from Claims 1, 20 or 23. Claims 22-25 depend from Claim 1 and they each define a specific operating condition of

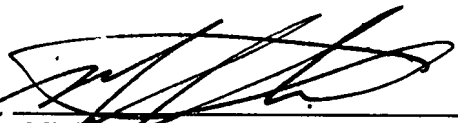
the damper. Claims 26-29 are the same as 22-25 but they depend from Claim 20. Claims 30-33 are the same as 22-25 but they depend from Claim 21.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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